

## Message Text

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ORIGIN STR-07

INFO OCT-01 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00  
COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10 INT-05  
L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05  
SS-15 ITC-01 TRSE-00 USIA-06 SP-02 SOE-02 OMB-01  
DOE-11 HEW-04 HUD-01 JUSE-00 DOTE-00 GSA-02  
NASA-01 VA-01 EPA-01 NSF-01 TVA-01 ACDA-12 CAB-02  
ABMC-01 FCC-01 FTC-01 SEC-01 XMB-02 SMI-01 NRC-05  
OPIC-03 BIB-01 /147 R

DRAFTED BY STR:MPOMERANZ  
APPROVED BY (TPSC)WKELLY  
STR:RHEIMLICH  
COMMERCE:DSCHLECHTY/MPRUIETT  
LABOR:GPRATT/RSCHULMAN  
TREASURY:EBARBER  
DOD:JDARLING/RBOOTON  
STATE:JSPIRO

-----075505 111510Z /53

P 110132Z MAR 78  
FM SECSTATE WASHDC  
TO USMISSION GENEVA PRIORITY

LIMITED OFFICIAL USE STATE 063022

E.O. 11652: N/A

TAGS: MTN, ETRD

SUBJECT: GOVERNMENT PROCUREMENT - COVERAGE

REFERENCE: GENEVA 2507

1. IN LATE 1974 WE PROVIDED TO THE OECD A COMPLETE LIST OF  
ALL U.S. GOVERNMENT DEPARTMENTS AND ENTITIES. THIS WAS  
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PAGE 02 STATE 063022

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  - (21) EXECUTIVE OFFICE OF THE PRESIDENT
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  - (23) NATIONAL CREDIT UNION ADMINISTRATION
  - (24) SMALL BUSINESS ADMINISTRATION
  - (25) ACTION
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- (26) U.S. ARMS CONTROL AND DISARMAMENT AGENCY
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- (53) BOARD FOR INTERNATIONAL BROADCASTING
- (54) COMMISSION ON CIVIL RIGHTS
- (55) COMMODITY FUTURES TRADING COMMISSION
- (56) COMMUNITY SERVICES ADMINISTRATION

FYI: INCLUSION OF DEPT. OF AGRICULTURE ON THIS LIST IS ON THE BASIS THAT WE WILL EVENTUALLY ACHIEVE AGREEMENT WITHIN THE CODE THAT PROGRAMS WHICH CAN GENERICALLY BE CLASSIFIED AS FARM SUPPORT PROGRAMS WOULD NOT BE SUBJECT TO THE RULE LIMITED OFFICIAL USE

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OF NON-DISCRIMINATION. END FYI.

2. UNTIL THE PRINCIPAL ISSUES ON PRACTICES AND PROCEDURES SUCH AS EXPOSE PUBLICITY AND NARROW DEFINITION OF SINGLE TENDERING ARE RESOLVED THE U.S. DEL SHOULD NOT TABLE REQUEST AND OFFER LISTS FOR TRIAL RUN ON COVERAGE. ONLY WHEN THE ESSENTIAL ELEMENTS OF PHASE I ARE COMPLETED WOULD WE BE PREPARED TO OFFER THE ABOVE REVISED LIST ON THE SAME TERMS AS IN 1974, NAMELY THAT THEY WILL BE COVERED BY THE CODE IF SUCH COVERAGE IS RECIPROCATED BY OTHERS.

3. A COMPARISON OF THIS LIST WITH THE EARLIER ONE WILL PROVIDE THE BEST POSSIBLE ARGUMENT FOR THE NEED OF A NORMATIVE RULE IN THE CODE. NOTE, THAT IN THE SHORT SPACE OF FOUR YEARS THE ATOMIC ENERGY COMMISSION BECAME THE ENERGY RESEARCH AND DEVELOPMENT CORPORATION WHICH IN TURN BECAME PART OF THE NEWLY CREATED DEPARTMENT OF ENERGY (DOE). THE FORMER FEDERAL POWER COMMISSION, TOGETHER WITH ENERGY SEGMENTS OF OTHER AGENCIES, WERE ALSO MADE A PART OF THE DOE. ANY NUMBER OF NEW ENTITIES SUCH AS THE COMMODITY FUTURES TRADING COMMISSION HAVE ALSO BEEN CREATED. WE FEAR THAT IN THE ABSENCE OF A NORMATIVE RULE, WE WOULD BE IN A CONSTANT STATE OF NEGOTIATING ON THE ENTITY LISTS TO KEEP UP WITH THE DYNAMICS REVEALED BY OUR LIST.

4. IN OUR VIEW, IT IS THEORETICALLY POSSIBLE TO HAVE A TRIAL RUN SOLELY ON THE BASIS OF ENTITIES COVERED. IN PRACTICE, HOWEVER, WE DOUBT THAT IT WILL WORK. WE MUST ENVISAGE THE DISTINCT POSSIBILITY THAT THE ENTITY LIST OF OTHERS WILL BE CONSIDERABLY LESS EXTENSIVE THAN OURS. FOR THIS REASON WE AGREE WITH THE NORDICS THAT CONCURRENT SUBMISSIONS OF REQUESTS AND OFFERS WOULD EXPEDITE PUTTING ALL THE NEGOTIATING CARDS ON THE TABLE. AFTER INITIAL REQUESTS AND OFFERS HAVE BEEN DISCUSSED, U.S. MAY STILL LIMITED OFFICIAL USE

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PAGE 05 STATE 063022

FIND THAT BALANCE IS LACKING IF NEGOTIATIONS ARE CONDUCTED SOLELY ON THE BASIS OF ENTITIES. UNDER THE CIRCUMSTANCES WE COULD REMOVE CERTAIN OF OUR ENTITIES TO ACHIEVE BALANCE. SUCH A MOVE WOULD NOT BE WITHOUT ITS ADMINISTRATIVE PROBLEMS, NOT THE LEAST OF WHICH WOULD BE THE JOB OF SEPARATING OUT WHAT GSA BUYS FOR OTHER ENTITIES. IT MAY BE THAT ANY COVERAGE DISCUSSION MAY HAVE TO GO BEYOND ENTITIES INTO THE OTHER VARIABLES SUCH AS THRESHOLD OR PRODUCT EXCLUSIONS AS DESCRIBED IN TPSC 78-13.

5. WE AGREE WITH YOU THAT OUR INITIAL THRESHOLD POSITION BE MAINTAINED AT 50 THOUSAND DOLLARS.

6. THE ONLY HARD DATA WE HAVE ON GOODS PURCHASED BY THE ENTITIES LISTED ABOVE IS FOR DOD. DOD PURCHASES CONTINUE TO REPRESENT MORE THAN 50 PERCENT OF TOTAL U.S. FEDERAL PROCUREMENT OF GOODS. THOSE PURCHASES FOR SUPPLIES AND EQUIPMENT IN FISCAL 1977 AMOUNTED TO 30.6 BILLION DOLLARS. THE DETAILS OF THOSE PURCHASES (WHICH ARE NOW BEING PRINTED) WILL BE FORWARDED TO YOU IN THE NEAR FUTURE VIA A GENEVA TRAVELLER. WE WILL ALSO ENDEAVOR TO REPEAT THE EFFORT WE MADE IN 1974 TO CARVE OUT OF THAT TOTAL THE CLASSES OF DOD PROCUREMENT WHICH WOULD NOT BE SUBJECT TO THE NATIONAL SECURITY EXCEPTION. A PRELIMINARY GUESS WOULD BE THAT WE WOULD FIND DOD PURCHASES OF CIVILIAN TYPE GOODS TO HAVE AMOUNTED TO APPROXIMATELY 5 BILLION DOLLARS IN FISCAL 1977. SINCE THE LONG AWAITED FEDERAL PROCUREMENT DATA SYSTEM WON'T BEGIN TO RECEIVE ITS FIRST INPUTS UNTIL LATE IN 1978, WE CANNOT DO MORE THAN REPEAT THE EARLIER STATISTICAL EFFORT OF MAKING EDUCATED EXTRAPOLATIONS OF GOODS PURCHASED BY OTHER AGENCIES OF THE U.S. GOVERNMENT FROM THE GSA DATA REPORTING OF COMBINED PURCHASES OF GOODS AND SERVICES. WE WILL PROVIDE SUCH DATA AS SOON AS IT CAN BE DEVELOPED.

7. WE ARE ALSO DEVELOPING A LIST OF ENTITIES WHICH WE

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WOULD WANT OTHER MAJOR COUNTRIES TO THROW INTO THE POT. THIS TOO WILL BE FORWARDED ASAP.

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INFO OCT-01 EUR-12 EA-10 ISO-00 SIG-03 /034 R

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DRAFTED BY: EB/OT/STA: G WHITE

APPROVED BY: EB/OT/STA: T O HERRON

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FM SECSTATE WASHDC

TO AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

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AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

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FOLLOWING REPEAT STATE 063022 SENT ACTION GENEVA MAR 11.

QUOTE LIMITED OFFICIAL USE STATE 063022

E.O. 11652: N/A

TAGS: MTN, ETRD

SUBJECT: GOVERNMENT PROCUREMENT - COVERAGE

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DRAFTED BY EB/OT/STA:G WHITE:CMS

APPROVED BY EB/OT/STA: T O'HERRON

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FOL RPT STATE 063022 SENT ACTION GENEVA DTD 11 MAR 78

QUOTE: LIMITED OFFICIAL USE STATE 063022

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THIS REASON WE AGREE WITH THE NORDICS THAT CONCURRENT SUBMISSIONS OF REQUESTS AND OFFERS WOULD EXPEDITE PUTTING ALL THE NEGOTIATING CARDS ON THE TABLE. AFTER INITIAL REQUESTS AND OFFERS HAVE BEEN DISCUSSED, U.S. MAY STILL FIND THAT BALANCE IS LACKING IF NEGOTIATIONS ARE CONDUCTED SOLELY ON THE BASIS OF ENTITIES. UNDER THE CIRCUMSTANCES WE COULD REMOVE CERTAIN OF OUR ENTITIES TO ACHIEVE BALANCE. SUCH A MOVE WOULD NOT BE WITHOUT ITS ADMINISTRATIVE PROBLEMS, NOT THE LEAST OF WHICH WOULD BE THE JOB OF SEPARATING OUT WHAT GSA BUYS FOR OTHER ENTITIES. IT MAY BE THAT ANY COVERAGE DISCUSSION MAY HAVE TO GO BEYOND ENTITIES INTO THE OTHER VARIABLES SUCH AS THRESHOLD OR PRODUCT EXCLUSIONS AS DESCRIBED IN TPSC 78-13.

5. WE AGREE WITH YOU THAT OUR INITIAL THRESHOLD POSITION BE MAINTAINED AT 50 THOUSAND DOLLARS.

6. THE ONLY HARD DATA WE HAVE ON GOODS PURCHASED BY THE ENTITIES LISTED ABOVE IS FOR DOD. DOD PURCHASES CONTINUE TO REPRESENT MORE THAN 50 PERCENT OF TOTAL U.S. FEDERAL PROCUREMENT OF GOODS. THOSE PURCHASES FOR SUPPLIES AND EQUIPMENT IN FISCAL 1977 AMOUNTED TO 30.6 BILLION DOLLARS. THE DETAILS OF THOSE PURCHASES (WHICH ARE NOW BEING PRINTED) WILL BE FORWARDED TO YOU IN THE NEAR FUTURE VIA A GENEVA TRAVELLER. WE WILL ALSO ENDEAVOR TO REPEAT THE EFFORT WE MADE IN 1974 TO CARVE OUT OF THAT TOTAL THE CLASSES OF DOD PROCUREMENT WHICH WOULD NOT BE SUBJECT TO THE NATIONAL SECURITY EXCEPTION. A PRELIMINARY GUESS WOULD

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TO HAVE AMOUNTED TO APPROXIMATELY 5 BILLION DOLLARS IN  
FISCAL 1977. SINCE THE LONG AWAITED FEDERAL PROCUREMENT  
DATA SYSTEM WON'T BEGIN TO RECEIVE ITS FIRST INPUTS UNTIL  
LATE IN 1978, WE CANNOT DO MORE THAN REPEAT THE EARLIER  
STATISTICAL EFFORT OF MAKING EDUCATED EXTRAPOLATIONS OF  
GOODS PURCHASED BY OTHER AGENCIES OF THE U.S. GOVERNMENT  
FROM THE GSA DATA REPORTING OF COMBINED PURCHASES OF GOODS  
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AND SERVICES. WE WILL PROVIDE SUCH DATA AS SOON AS IT  
CAN BE DEVELOPED.

7. WE ARE ALSO DEVELOPING A LIST OF ENTITIES WHICH WE  
WOULD WANT OTHER MAJOR COUNTRIES TO THROW INTO THE POT.  
THIS TOO WILL BE FORWARDED ASAP.

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LEMS IN PRACTICES AND PROCEDURES BEFORE PROCEEDING TO  
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BILATERAL CONSULTATIONS BEING HELD FOR THIS PURPOSE. VANCE

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DRAFTED BY EB/OT/STA:C M STEELER

APPROVED BY EB/OT/STA:T F O'HERRON

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA IMMEDIATE

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REF: STATE 066974

FOL RPT STATE 063022 ACTION BERN BONN BRUSSELS COPENHAGEN  
DUBLIN THE HAGUE LONDON LUXEMBOURG OTTAWA PARIS ROME STOCKHOLM  
TOKYO 18 MAR 78 QUOTE

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FOLLOWING REPEAT STATE 063022 SENT ACTION GENEVA MAR 11.

QUOTE LIMITED OFFICIAL USE STATE 063022

E.O. 11652: N/A

TAGS: MTN, ETRD

SUBJECT: GOVERNMENT PROCUREMENT - COVERAGE

REFERENCE: GENEVA 2507

1. IN LATE 1974 WE PROVIDED TO THE OECD A COMPLETE LIST OF  
ALL U.S. GOVERNMENT DEPARTMENTS AND ENTITIES. THIS WAS  
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ISSUED BY THE OECD AS TFD/TD/805 DATED OCTOBER 3, 1974. IN  
A SUBSEQUENT MEETING WE INFORMED THE WORKING PARTY OF THE  
TRADE COMMITTEE THAT WE WERE PREPARED TO OFFER COVERAGE OF  
ALL OF THE LIST PROVIDED WE RECEIVED RECIPROCAL TREATMENT  
FROM OTHERS. THE LIST HAS NOW BEEN UPDATED TO PRODUCE THE  
FOLLOWING:

- (1) DEPARTMENT OF AGRICULTURE
- (2) DEPARTMENT OF COMMERCE
- (3) DEPARTMENT OF DEFENSE
- (4) DEPARTMENT OF ENERGY
- (5) DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
- (6) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
- (7) DEPARTMENT OF THE INTERIOR
- (8) DEPARTMENT OF JUSTICE
- (9) DEPARTMENT OF LABOR
  
- (10) DEPARTMENT OF STATE
- (11) DEPARTMENT OF TRANSPORTATION
- (12) DEPARTMENT OF TREASURY
- (13) GENERAL SERVICES ADMINISTRATION
- (14) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
- (15) VETERANS ADMINISTRATION
- (16) ENVIRONMENTAL PROTECTION AGENCY
- (17) UNITED STATES INFORMATION AGENCY
- (18) NATIONAL SCIENCE FOUNDATION
- (19) PANAMA CANAL COMPANY AND CANAL ZONE GOVERNMENT
- (20) TENNESSEE VALLEY AUTHORITY

(21) EXECUTIVE OFFICE OF THE PRESIDENT  
(22) FARM CREDIT ADMINISTRATION  
(23) NATIONAL CREDIT UNION ADMINISTRATION  
(24) SMALL BUSINESS ADMINISTRATION  
(25) ACTION  
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(26) U.S. ARMS CONTROL AND DISARMAMENT AGENCY  
(27) CIVIL AERONAUTICS BOARD  
(28) FEDERAL HOME LOAN BANK BOARD  
(29) NATIONAL LABOR RELATIONS BOARD  
(30) NATIONAL MEDIATION BOARD  
(31) RAILROAD RETIREMENT BOARD  
(32) AMERICAN BATTLE MONUMENTS COMMISSION  
(33) FEDERAL COMMUNICATIONS COMMISSION  
(34) FEDERAL TRADE COMMISSION  
(35) INDIAN CLAIMS COMMISSION  
(36) INTERSTATE COMMERCE COMMISSION  
(37) SECURITIES AND EXCHANGE COMMISSION  
(38) U.S. CIVIL SERVICE COMMISSION  
(39) U.S. INTERNATIONAL TRADE COMMISSION  
(40) EXPORT-IMPORT BANK OF THE U.S.  
(41) FEDERAL MEDIATION AND CONCILIATION SERVICE  
(42) SELECTIVE SERVICE SYSTEM  
(43) SMITHSONIAN INSTITUTION  
(44) FEDERAL DEPOSIT INSURANCE CORPORATION  
(45) CONSUMER PRODUCT SAFETY COMMISSION  
(46) EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
(47) FEDERAL MARITIME COMMISSION  
(48) NATIONAL TRANSPORTATION SAFETY BOARD  
(49) NUCLEAR REGULATORY COMMISSION  
(50) OVERSEAS PRIVATE INVESTMENT CORP.  
(51) RENEGOTIATION BOARD  
(52) ADMINISTRATIVE CONFERENCE OF THE U.S.  
(53) BOARD FOR INTERNATIONAL BROADCASTING  
(54) COMMISSION ON CIVIL RIGHTS  
(55) COMMODITY FUTURES TRADING COMMISSION  
(56) COMMUNITY SERVICES ADMINISTRATION

FYI: INCLUSION OF DEPT. OF AGRICULTURE ON THIS LIST IS ON  
THE BASIS THAT WE WILL EVENTUALLY ACHIEVE AGREEMENT WITHIN  
THE CODE THAT PROGRAMS WHICH CAN GENERICALLY BE CLASSIFIED  
AS FARM SUPPORT PROGRAMS WOULD NOT BE SUBJECT TO THE RULE  
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OF NON-DISCRIMINATION. END FYI.

2. UNTIL THE PRINCIPAL ISSUES ON PRACTICES AND PROCEDURES SUCH AS EXPOSE PUBLICITY AND NARROW DEFINITION OF SINGLE TENDERING ARE RESOLVED THE U.S. DEL SHOULD NOT TABLE REQUEST AND OFFER LISTS FOR TRIAL RUN ON COVERAGE. ONLY WHEN THE ESSENTIAL ELEMENTS OF PHASE I ARE COMPLETED WOULD WE BE PREPARED TO OFFER THE ABOVE REVISED LIST ON THE SAME TERMS AS IN 1974, NAMELY THAT THEY WILL BE COVERED BY THE CODE IF SUCH COVERAGE IS RECIPROCATED BY OTHERS.

3. A COMPARISON OF THIS LIST WITH THE EARLIER ONE WILL PROVIDE THE BEST POSSIBLE ARGUMENT FOR THE NEED OF A NORMATIVE RULE IN THE CODE. NOTE, THAT IN THE SHORT SPACE OF FOUR YEARS THE ATOMIC ENERGY COMMISSION BECAME THE ENERGY RESEARCH AND DEVELOPMENT CORPORATION WHICH IN TURN BECAME PART OF THE NEWLY CREATED DEPARTMENT OF ENERGY (DOE). THE FORMER FEDERAL POWER COMMISSION, TOGETHER WITH ENERGY SEGMENTS OF OTHER AGENCIES, WERE ALSO MADE A PART OF THE DOE. ANY NUMBER OF NEW ENTITIES SUCH AS THE COMMODITY FUTURES TRADING COMMISSION HAVE ALSO BEEN CREATED. WE FEAR THAT IN THE ABSENCE OF A NORMATIVE RULE, WE WOULD BE IN A CONSTANT STATE OF NEGOTIATING ON THE ENTITY LISTS TO KEEP UP WITH THE DYNAMICS REVEALED BY OUR LIST.

4. IN OUR VIEW, IT IS THEORETICALLY POSSIBLE TO HAVE A TRIAL RUN SOLELY ON THE BASIS OF ENTITIES COVERED. IN PRACTICE, HOWEVER, WE DOUBT THAT IT WILL WORK. WE MUST ENVISAGE THE DISTINCT POSSIBILITY THAT THE ENTITY LIST OF OTHERS WILL BE CONSIDERABLY LESS EXTENSIVE THAN OURS. FOR THIS REASON WE AGREE WITH THE NORDICS THAT CONCURRENT SUBMISSIONS OF REQUESTS AND OFFERS WOULD EXPEDITE PUTTING ALL THE NEGOTIATING CARDS ON THE TABLE. AFTER INITIAL REQUESTS AND OFFERS HAVE BEEN DISCUSSED, U.S. MAY STILL LIMITED OFFICIAL USE

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## Message Attributes

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**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** GOVERNMENT PROCUREMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 11 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
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**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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20 Mar 2014  
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